

(4) (I) IS A DEPUTY CLERK OF THE COURT AT THE TIME OF APPLICATION FOR RETIREMENT; AND

(II) WAS INITIALLY A DEPUTY CLERK OF THE COURT BEFORE JULY 22, 1981.

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - State Personnel and Pensions

29-203.

(a) (1) This subsection applies only to an individual who dies while employed as a member of the Law Enforcement Officers' Pension System:

(i) without willful negligence by the member; and

(ii) with more than 2 years of eligibility service.

(2) When the Board of Trustees receives proof of death of a member and finds that the death has occurred in the manner described in paragraph (1) of this subsection, the Board of Trustees shall pay:

(i) if the member is survived by a spouse or child under the age of 18 years[.]:

1. THE MEMBER'S ACCUMULATED CONTRIBUTIONS TO THE DESIGNATED BENEFICIARY, OR OTHERWISE TO THE MEMBER'S ESTATE; AND

2. an allowance of 50% of the ordinary disability retirement allowance provided for in § 29-108 of this title:

[1.] A. to the surviving spouse; or

[2.] B. if there is no surviving spouse or if the surviving spouse dies before the youngest child of the member is 18 years old, to any children of the deceased member who are under the age of 18 years; or

(ii) if the member is not survived by a spouse or child under the age of 18 years, the death benefit under § 29-202 of this subtitle.

(b) (1) This subsection applies only to an individual who dies while employed as a member of the Law Enforcement Officers' Pension System:

(i) without willful negligence by the member; and

(ii) with death arising out of or in the course of the actual performance of duty.

(2) When the Board of Trustees receives proof of death of a member and finds that the death has occurred in the manner described in paragraph (1) of this subsection, the Board of Trustees shall pay: